

DAVID W. GORDON (SBN 71003)
KENNEY & MARKOWITZ L.L.P.
255 California Street, Suite 1300
San Francisco, CA 94111
Telephone: (415) 397-3100
Facsimile: (415) 397-3170

Attorneys for Plaintiff
FIREMAN'S FUND INSURANCE COMPANY

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION - EFILING

FIREMAN'S FUND INSURANCE COMPANY,

CASE NO. CV-08-3079 WHA

Plaintiff,

v.

**STIPULATION AND [PROPOSED]
ORDER EXTENDING MEDIATION
DEADLINE**

DISCOVER PROPERTY & CASUALTY INSURANCE COMPANY,

Defendant.

1. Counsel report that they have met and conferred regarding ADR and have reached the following stipulation regarding the mediation deadline.

2. The appointed mediator in this matter is Charles R. Ragan of Redgrave Daley Ragan & Wagner LLP.

3. On November 19, 2008, counsel for the parties conferred with mediator Ragan and advised that they planned to submit cross-motions for summary judgment based on stipulated facts since the threshold issues were primarily questions of law. Mediator Ragan concurred that the mediation should be conducted after the hearing on the proposed cross-motions for summary judgment and directed the parties to extend the mediation deadline.

Kenney
&
Markowitz
L.L.P.

1 4. Attached hereto is an email notice from the Court's ADR Administrator directing
 2 the parties to file a Stipulation and [Proposed] Order to schedule the mediation session beyond the
 3 current deadline.

4 5. The parties to this matter hereby stipulate to continue the mediation deadline to
 5 March 20, 2009.

6 6. Copies of the Stipulation and [Proposed] Order have been emailed to the mediator
 7 at cragan@rdrw.com and to the ADR Case Administrator at Claudia_forehand@cand.uscourts.gov.

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 10 DATED: December 22, 2008

KENNEY & MARKOWITZ L.L.P

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 12 By: _____ /s/
 13 DAVID W. GORDON
 14 Attorneys for Plaintiff
 FIREMAN'S FUND INSURANCE
 COMPANY

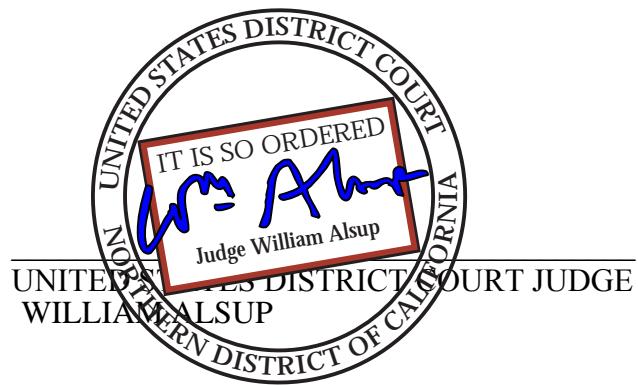
15 DATED: December 22, 2008

CHAPMAN POPIK & WHITE

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 17 By: _____ /s/
 18 RENEE C. CALLANTINE
 19 Attorneys for Defendant
 DISCOVER PROPERTY & CASUALTY
 INSURANCE COMPANY

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 21 Pursuant to the stipulation above, the mediation deadline is extended to March 20, 2009.

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 23 DATED: December 24, 2008



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 27 Kenney
 &
 Markowitz
 L.L.P.
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